

REMARKS

Claims 1, 2, 4-7, 9-11, 13, 15-17 and 19 are all the claims pending in the application.
Claims 3, 8, 12, 14 and 18 are cancelled by way of this Amendment.

Prior Art Rejections:

Claims 1, 2, 10 and 11 are rejected under 35 U.S.C. § 102(b) as being anticipated by Harlick (5,941,773).

Claims 3-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Harlick (5,941,773) in view of Rowe et al. (2003/0013527).

Analysis

Claim 1:

Applicants amend claim 1 and cancel claims 3 and 8 accordingly, in order to clarify the reward system of the present invention as indicated the attached Appendix.

Claim 1 is directed to a method of a multiplayer gaming reward system. The system includes providing a pool of two or more gaming machines; setting a predetermined award time; determining whether a current time equals the predetermined award time; if the current time equals the predetermined award time, selecting one or more of the gaming machines from the pool; determining an operational state of the selected gaming machine; and rewarding a player responsive to the operational state of the selected gaming machine at the predetermined reward time.

Thus, a predetermined award time is set, and it is determined whether the current time equals that predetermined award time *before* a gaming machine is selected. That is, the reward time must be reached as a precondition before the machine is selected.

In contrast, Harlick discloses two embodiments, neither of which sets a predetermined award time and *thereafter* selects a gaming machine from a pool if the current time equals the predetermined award time.

In the first aspect, Harlick discloses that a randomly chosen prize winning number is determined. Each game is assigned a number and when a game is played on a machine, a signal is sent to the controller which determines whether that assigned number equals the chosen prize winning number. If they are equal, a reward is given. Thus, there is no step of setting a predetermined award time; rather, a pre-assigned number is compared against an assigned number for each game that is played until the assigned number equals the pre-assigned number. Thus, as mentioned in the background portion of the pending application, the gaming machine must send a signal to the controller for each played game, and these signals must be analyzed by the controller to determine if it is the winning game.

In the second aspect of Harlick, a predetermined time period is selected and a pre-determined number of prizes are awarded during that time period. Again, however, the gaming machines must first send a signal to the controller when each game is played, and after a set number of games have been played, the award time is reached. “Once the controller decides that it is time for a prize to be awarded (step 32), the *m*th game to be played from that instant becomes the winner (step 34).” Thus, the gaming machines must notify the controller each time a game is played before the actual reward time is reached. In other words, the gaming machine is selected *before* the actual reward time is reached, and moreover, the determination of whether a machine is in use must inherently be a *precondition before an award time is reached*.

This is distinguishable from the present invention in which the system does not wait to receive signals from gaming machines to determine when a predetermined award time has been reached. As noted in the pending specification, the type of operation described in Harlick is cumbersome because every game of the gaming machine must be recognized by the controller, and if the controller incurs a delay in operation, the gaming machine may incur delays thus causing player frustration and other problems.

In addition, claim 1 has been amended to clarify the steps taken after the award time is reached and the winning machine is selected. It would not have been obvious to modify Harlick to include these steps in their recited order merely based on Rowe. Although player identifier technology is known, there is no teaching or suggestion to determine whether a selected gaming machine meets these criteria after the gaming machine has been selected and to base whether a reward is awarded based on these criteria. As noted above, Harlick works in a completely different manner. At most, one would have simply incorporated this technology into Harlick, perhaps using it to send signals to the controller *until* a predetermined award time is reached; this is in direct contrast to the present invention which eliminates this cumbersome operation being handled by the controller.

In view of the foregoing, claim 1 is distinguishable from Harlick.

Claim 10

Claim 10 is patentable for similar reasons to claim 1. Namely, the combination of cited references fails to teach or suggest a central control system that sets a predetermined award time, selects at least one of the gaming machines when the predetermined reward time equals a current time, determines whether the selected gaming machine is in use at that time, determines

whether a player has associated a unique player identifier with the selected gaming machine, and provides a reward to the player of the selected gaming machine if the gaming machine is in use and the player has associated a unique player identifier with the selected machine.

Thus, a reward time must be reached before the gaming machine is checked for use and player identifiers. That is, reaching the reward time is a precondition for selecting a machine and determining the status of the gaming machine.

Harlick teaches that the gaming machine must tell the controller each time a game is played and thereafter the reward time is reached. Therefore, the controller determines that the machine is in use during its constant contact. Thus, the controller is actually determining whether a machine is in use *before* the reward time is reached; there is no reason to check whether a machine is in use once the reward time has been reached since *being in use is a precondition to reaching the award time*.

Moreover, while Rowe may disclose a player identifier system, there is no teaching or suggestion for incorporating it into a reward system of Harlick, in which the machine is selected randomly without any regard to a player identifier. At most, Harlick would merely track the player with the identifier but there is no teaching for only awarding a reward if the player has the identifier.

In view of the foregoing, claim 10 is not taught or suggested by the combination of cited references.

Dependent Claims

These claims are patentable for at least the same reasons as claims 1 and 10, by virtue of their dependency therefrom.

AMENDMENT UNDER 37 C.F.R. § 1.111
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Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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